

1 Total pages: 2  
2 JAMES E. SALVEN  
3 Chapter 7 Trustee  
4 8427 N. Millbrook Ave., Ste. 101  
5 Fresno, California 93720  
6 (559) 230-1095

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IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

In the Matter of

Case No. 09-19968-B-7

DC No. JES-2

ALEX & MARGIE BATTENFIELD,

**TRUSTEE'S MOTION FOR  
AUTHORIZATION TO SELL  
REAL PROPERTY and PAY REAL  
ESTATE COMMISSION**

Debtor(s).

Date: APRIL 28, 2010  
Time: 10:00 a.m.  
Dept: B

TO THE HONORABLE W. RICHARD LEE UNITED STATES BANKRUPTCY  
JUDGE:

James Salven respectfully represents:

1. He is the duly appointed, qualified and acting trustee of  
the above-entitled estate.

2. The above-captioned case was filed under Chapter 7 on  
10/16/2009.

3. This Court has jurisdiction over this proceeding by  
virtue of 28 U.S.C. §1334(a). This is a "core" proceeding pursuant  
to 28 U.S.C. §157(b)(2)(A). This motion is brought pursuant to 11  
U.S.C. §363.

4. Among the assets of this estate is a property located at  
38355 Road 142, Yettem, CA bearing APN 050-200-009.

1        5.     The trustee has obtained an offer to purchase said asset,  
2 for \$32,000 from Albert Campos, or nominee.     Real property is  
3 encumbered by a deed of trust in favor of James & Peggy Woods in  
4 the approximate amount of \$12,680.00, which shall be paid through  
5 escrow.     Debtors have also claimed an exemption in the amount of  
6 \$12,320.00, leaving the sum of \$7,000.00 to the estate.

7        6.     The trustee has agreed to pay a 6% commission in  
8 connection with the proposed sale.

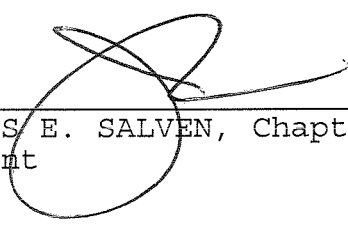
9        7.     Said offer is the best and highest offer received for  
10 said property and, in the opinion of the trustee, said offer is for  
11 the full and fair market value of said property.

12       8.     The trustee believes that confirmation of said sale on  
13 the terms set forth above is in the best interest of the creditors  
14 of this estate and all parties in interest.

15       9.     Trustee has reviewed the tax implications of the sale and  
16 determined that there will be no negative tax consequences from  
17 sale.

18       **WHEREFORE,** the trustee prays that after appropriate notice and  
19 opportunity to be heard, he be authorized to sell the above-  
20 described asset to Albert Campos, or nominee, subject to higher and  
21 better offer at the hearing on confirmation of said sale.  
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23  
24 DATED: 3/29/10

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27 JAMES E. SALVEN, Chapter 7 Trustee  
28 Movant